REMARKS

Reconsideration and allowance of claims pending in the application are requested.

Claims 1-19, 21-34, 36 -38, 40-53 and 55 -63 are pending in the application. Claim 60 stands allowed.

Claims 61, 62, 63, 8-13, 27 -34, 41-53, 54-57, 58 and 59 have been rejected under 35 USC 103(a) as unpatentable over USP 6,501,472 to W. J. Hunt et al, issued December 31, 2002, filed March 5, 1998 (Hunt).

Claims 2-7, 14, 15, 18, 19, 21-26, 36-38 and 40 have been rejected under 35 USC 103(a) as unpatentable over Hunt, of record in view of USP 5,881,287 to M. B. Mast, issued March 9, 1999, filed March 25, 1997 (Mast).

Claims 7, 59, 61, 62, and 63 have been amended to further define and overcome the cited art.

Before responding to the rejections, applicant would like to distinguish Hunt and Mast, alone and in combination, from the present invention (Kaply), as follows:

1.   Hunt

Hunt discloses transmitting graphical images in a network environment. The amount of data of the graphical images that is transmitted is customized in accordance with client and/or server supplied information. The techniques enable graphical images to be transmitted more efficiently than previously possible, thus saving precious network bandwidth and reducing transmission time. The techniques are particularly suitable for network (intranet or Internet) implementations wherein graphical images often need transferred. Hunt fails to disclose limitations of Kaply, as follows:

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A.   Hunt discloses a server and a client directly interfacing through a handshake process to determine if both include image control data to support image customization and fails to disclose an owning application and a requesting application interfacing via a callback module which detects, identifies and notifies the owning application of the requesting application request to obtain its' displayable data.

Hunt, at col. 5, line 12-20, discloses the server handshake process cooperates with the client handshake process to allow the client and the server to determine whether both include image control data to support image customization. If both support image customization, the server is able to use image customization processes on image files to be transmitted to the client. The process customizes both the amount of data and the format of the graphical image sent to the client. In contrast, Kaply at pg. 8, line 20 continuing to pg. 9, line 2, discloses a callback module detects a requesting application attempting to access displayable data of another application and passes the information to the owning application. A response module is evoked by the owning application to determine the type of information to be provided to the requesting application. Hunt discloses the server and client interact directly and fails to disclose an owning and requesting application interfacing through a callback module and a response module

B.   Hunt discloses a server and client transferring stored images from the server to the client, provided customization flags are set for the server and client and fails to disclose a response module solely determining what data, whether existing or not, may be accessed by another application without regard of the image control processes of the requesting application

Hunt at col. 8, lines 2 -19 discloses a server determines whether both the client and server achieve support image customization. When it is determined that both the client and the server machines support image customization, a customization flag at the server machine is set. Otherwise, when it is determined that one or both the client and server machine do not support image customization, the customization flag at the server machine is reset indicating image customization in unavailable and stored images maybe transferred without customization. In

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contrast, Kaply, at pg. 9, lines 2 – 15, discloses the resolution generated by response module may

depend upon several factors, such as the type of data involved in an attempted access, and the

application attempting to access the data. These factors are considered without regard of the

image control processes in the requesting application. Hunt discloses transferring customized

stored images provided customizing flags are set at the server and client and fails to disclose a

requesting application obtaining data from an owning application subject to a resolution provided

by a response module without regard to customization flags.

      C.   **Hunt discloses a server customizing the amount of image data transmitted to a client by trading off image quality for bandwidth or vice versa provided customizing flags are set and fails to disclose an owning application providing information different in detail from the requested application and without the involvement of customizing flags.**

Hunt, at col. 5, lines 29-45, discloses the image process utilized by the server machine

customizes the images. Namely, the data associated with the graphical file is customized in a

manner such that image quality vs. size can be controlled, provided customizing flags are set. In

contrast, Kaply at pg. 9, lines 19-22, discloses different versions of the requested data may be

provided. For example, the displayed data may be provided as a color image, without the

involvement of customizing flags while the requesting application may have requested a black

and white image. Hunt fails to disclose an owning application providing information different

from the requested information, and without the involvement of customizing flags.

      D.   **Hunt discloses images stored in a server are modified to have a variable or selectable quality versus size tradeoff and fails to disclose an owning application dictating the use to be made of the data, the pixel resolution and providing a modified or different image to the requesting application.**

Hunt, at col. 8, lines 47-52, discloses the modified image segmented into segments 1-5.

The segments are preferably encoded using a compression technique, such as fractal

compression or progressive JPEG. Each of these segments contains data associated with the

image represented by a graphical image file. However, each of the segment is additive, to provide graphical image quality, but at the cost of a larger image file size. In contrast, Kaply at pg. 11, line 1-3, discloses an owning application may provide a modified or even a different image to another application; whereas, Hunt discloses the same image modified in size. Hunt fails to disclose an owning application providing requesting application information different in content from the requested information.

Summarizing, Hunt discloses a server and a client transferring stored images in accordance with image control data to save bandwidth by varying the size of the image, provided customization flags are set on behalf of the server and the client. In contrast, Kaply discloses (a) an owning application of displayable data providing the data, which may or may not exist, to a requesting application; (b) without the involvement of customization flags; (c) based on the identification of the application by a call back module; (d) a determination by a response module, as to the type of data to be transmitted to the requesting application; and (e) transferring data which may be different in content from the requested information.

2.   Mast

Mast discloses securing images from unlicensed appropriation on a computer system. Unlicensed transfers of image data from a video adapter to other storage means are substantially prevented by intercepting data transfer requests to the operating system and identifying whether the image is one to be protected. If the image is one that is marked for protection, the region of the data transfer incorporating the protected image is blacked-out or replaced with a specified pattern or message. A preferred embodiment provides a library of software routines that are utilized by image display applications. These routines interface with the computer memory and the video display memory to block the copying of designated images by means of "hooks" into

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the operating system or operating environment. By means of these hooks and routines, all

regions on the video device that contain a protected image, exclude these regions from any

operation that transfers data from the video display memory. Any attempts to transfer the

designated regions result in an image containing "blacked out" regions in their place. The

preferred embodiment includes an encryption scheme for image security prior to display. Mast

fails to disclose limitations of Kaply, as follows:

**A.   Mast discloses intercepting data transfers to an operating system;
identifying whether an image is marked for protection, and if marked, the region of the
data transfer is blocked out or replaced with a specific pattern or message and fails to
disclose an owning application providing a server modified or different image with respect
to various attributes including resolution, color depth, magnification, and security of
displayed data.**

Mast, at col. 3, lines 37-48, discloses a library of software routines that are utilized by

image display applications. These routines interface with the computer memory and the video

display memory to block the copying of a designated image, by means of "hooks" into the

operating system or operating environment. By means of these hooks and routines, all regions on

the video device that contain the protected image are excluded from any operation that transfers

data from the video display memory. Any attempts to transfer the designated regions results in

an image containing "black-out" regions in their place. In contrast, Kaply at pg. 12, line 21

continuing to page 13, line 4, discloses a response module examine data and attributes in order to

determine an action to take in response to a data request. Attributes include current resolutions,

current color depth and the current magnification in which the image is being displayed, as well

as available resolution, color depth and available magnifications in which the image data may be

provided. Mast simply blocks out detected data and fails to disclose altering the attributes of

displayable data.

Summarizing, Hunt and Mast fail to disclose (a) an owning application interfacing with a requesting application via a call-back module and a response module; (b) without the involvement of customizing flags; (c) providing information, which may or may not exist, and (c) altering the attributes of information provided to the requesting application. Without such disclosure in Hunt or Mast, there is no basis for a worker skilled in the art to implement claims 1-59, 61 - 63. The rejection of claims 1-59 and 61 -63 is without support in the cited art. Withdrawal of the rejection and allowance of claims 1-59 and 61 – 63 are requested.

Now turning to the rejection, applicant responds to the indicated paragraph of the Office Action, as follows:

REGARDING PARAGRAPHS 1 – 4:

The Examiner's comments are noted.

REGARDING PARAGRAPHS 5/6:

Claims 61, 62, 63, 8-13, 27-34, 41-53, 53-57, 58 and 59 include limitations not disclosed in Hunt, as follows:

A.   Claims 61, 62 and 63:

(i)   "receiving a request for the displayable data of an owning application of a first process, the request received from a second process;"

Hunt, at col. 7, lines 9-20, discloses a client handshake process, which initially sends a capability request to the server machine. The capability request is constructed so as to query the

server machine to determine whether it supports image customization. In contrast, Kaply

discloses the requesting application makes a direct request to the owning application and not

subsequent to a determination of image customization processes. Pg. 8, lines 3-7.

(ii)   "invoking a callback module to detect and advise the owning application the
identity of another application accessing the displayed data;"

Hunt discloses a server and a client conduct a handshaking process to determine if each

supports image customization. In contrast, Kaply disclose a requesting application interfaces

with a callback module providing an owning application the identity of the requesting

application. Hunt fails to disclose a callback module.

(iii)   "generating, at the first process, a resolution to the request for the displayable data
received from the second process; the resolution based on displayable image data for the first
process and displayed in an owning application window contained in a display memory ..."

Hunt, at col. 4, line 65 continuing to col. 5, line 6, discloses a communication system

includes a server and a client. Images are stored on the server and each image typically has a

predetermined physical size and resolution that leads to a total image size. Each such image is

stored on the server as an image file. The client sends a request for an image over a link to the

server. The server then in turn sends an appropriate amount of data to the corresponding image

file to the client over a link. In contrast, Kaply, at pg. 7, lines 18-19, discloses an owning

application displays displayable data in an owning application window within a display memory.

Hunt fails to disclose displayable data displayed in a window contained in a display memory.

(iv)   "transmitting the generated resolution for the displayed data based on the request
from the first process to the second process."

Hunt, at col. 10, line 2-15, discloses if a customization flag is set at the server, an amount of data in an image format for the requested image is determined. The image to be transmitted to the server to the client is customized in accordance with the image control data from the client. When the customization flag is not set, the image data is sent to the client without customization. When both client and server support customization of the amount into the format of the image data, then customization is performed prior to transition; otherwise, when customization is not supported, the image data is sent as is without customization. In contrast Kaply at page 12, line 17, continuing to page 13, line 6, discloses the owning application via the response module solely determines and defines the information to send to the requesting application without the involvement of customization flags. Hunt fails to disclose a server customizing the data sent to the client with out the involvement of the client.

Summarizing, Hunt fails to disclose items (i)... (iv) and without such disclosure, the rejection of claims 61, 62 and 63 under 35 USC 102(e) fails for lack of support in the reference. Withdrawal of the rejection and allowance of claims 61, 62 and 63 are requested.

B.   Claims 8-9:

Claims 8-9 further limit claim 61 and are patentable on the same basis.

C.   Claim 10:

Applicants can find no disclosure, nor has the Examiner cited any disclosure relating to a server specifying the use to be made of data transmitted to a client, as in the case of Kaply, described in the specification at page 4, lines 4 – 8. The rejection of claim 10 fails for lack of support in the reference. In any case claim 10 is patentable on the same basis as claim 8 from which it depends. Withdrawal of the rejection and allowance of claim 10 are requested.

D.   Claim 11:

Claim 11 further limits claim 61 and is patentable on the same basis.

E.   Claim 12:

Applicant can find no disclosure, nor has the Examiner cited any disclosure relating to the received image data having a different color depth than the requested image data, as in the case of Kaply, described at page 4, lines 9-11. The rejection of claim 12 fails for lack of support in the reference. In any case, claim 12 is patentable on the same basis as claim 11 from which it depends. Withdrawal of the rejection and allowance of claim 12 are requested.

F.   Claim 13:

Applicant can find no disclosure, nor has the Examiner cited any disclosure relating to the received image data having a different pixel resolution than the requested data, as in the case of Kaply, described at page 4, lines 11 – 13. The rejection of claim 13 fails for lack of support in the reference. In any case claim 13 is patentable on the same basis as claim 11 from which it depends. Withdrawal of the rejection and allowance of claim 13 are requested.

G.   Claims 41-53:

Claims 41-53 further limits claim 53 and are patentable on the same basis.

H.   Claim 55:

Claim 55 further limits claim 63 and is patentable on the same basis.

I.   Claim 56:

Claim 56 is patentable on the same basis as claim 10, previously considered.

J.   Claim 57:

Applicant can find no disclosure, nor has the Examiner cited any disclosure relating to attributes of the data in regards to resolution, color depth and magnetization, as in the case of Kaply described at page 12, lines 2 – 4. The rejection of claim 57 fails for lack of support in the reference. In any case, claim 57 is patentable on the same basis as claim 63 from which it depends. Withdrawal of the rejection and allowance of claim 57 are requested.

K.   Claim 58:

(i)   "displaying image data of an owning application in a window of a display;"

Hunt discloses the server stores the images in a memory and there is no disclosure in Hunt relating to displaying the data in a window of a display, as described in Kaply at page 7, lines 5-7.

(ii)   "invoking a callback module to call the owning application to request a resolution to the access by the requested module"

Hunt discloses the server and client interact directly not via a callback module or a response module associated with an owning application.

(iii)   "generating a resolution by the response module to the request based upon factors including the type of data involved with the request, the application requesting access; the status of the data and the availability of the data;"

Hunt discloses the server uses as a variable or selectable quality versus size tradeoff to limit the amount of data transmitted making better and more intelligent use of available bandwidth of the network. In contrast, Kaply discloses data transmitted to the requesting application involves other factors than the size of the image. These factors include the type of

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data involved; the application requesting access; and the status of the availability of the data, as described in Kaply at page 9, lines 3 – 5.

Hunt fails to disclose the items (i)… (iv) and without such disclosure there is no basis for the rejection of claim 58 under 35 USC 102(e). Withdrawal of the rejection and allowance of claim 58 are requested.

L.   Claim 59:

(i)   "detecting the request for access to the stored displayable image data of the owning application and providing the owning application the identity and information about another application requesting access to the displayed data;"

Hunt discloses the server and client applications interact directly and fails to disclose either the server or the client fail a detector or callback module detecting a requesting application and notifying an owning application the identity of the requesting application.

(ii)   "invoking a response module by the owning application in response to detecting the request to determine the action to take with regard to the request by the requesting application;"

Hunt fails to disclose a response module operating in behalf of a server or client to determine the action to be taken by a server in responding to a client request.

(iv)   "sending an extended request to the requesting application by the response module;"

Hunt, in Figure 8, discloses after the client sends the server image control data, there is no further request for additional data..The server determines the image size and format based on the customization flag and sends the image data to the client. In contrast, Kaply at page 16, lines 16 – 18 discloses the response module sends an extended request to the requesting application. The extended request is for information, which must be provided to the response module in order for the response module to generate a proper resolution. Pg. 11, line 18-22. Contrary to the

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Examiner's position, Hunt does not disclose sending an extended request to the requesting application, as in the case of Kaply.

(v)   "requesting further information from the requesting application by the response module if necessary; and generating a resolutions request by the response module."

Hunt fails to disclose a response module requesting further information from the requesting application for the same reasons indicated in connection with the discussion above in item (iv).

Without a disclosure in Hunt relating to items (i).... (v) above, there is no support for the rejection of claim 59 under 35 USC 102(e). Withdrawal of the rejection and allowance of claim 59 are requested.

REGARDING PARAGRAPH 7:

Claims 2-7, 14, 15, 18, 19, 21-26, 36-38, 40 include limitations not disclosed in Hunt in view of Mast, as follows:

A.   Claims 2, 21, 40:

Claims 2, 21 and 40 further limit claims 61, 62, 63, respectively, and are patentable on the same basis thereof.

B.   Claims 3, 22, 23, 36:

Claims 3, 22, 23, 36 further limit claim 61, 62 and 63, respectively, and are patentable on the same basis thereof.

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C.   Claims 4, 24, 37, 38:

Claims 4, 24, 37 and 38 further limit claim 61, 62 and 63 and are patentable on the same basis.

D.   Claim 5:

Claim 5 further limits claim 61 and is patentable on the same basis.

E.   Claim 6:

Claim 6 further limits claim 61 and is patentable on the same basis.

F.   Claim 7:

Hunt discloses that the images are stored in the server. Applicant can find no disclosure, nor has the Examiner cited any disclosure, wherein the requested image data does not exist and the received data comprises a generated version of the requested data, as described in Kaply at page 3, lines 20 – 22. The rejection of claim 7 fails for lack of support in the reference. In any case claim 7 is patentable on the same basis as claim 61 from which it depends. Withdrawal of the rejection and allowance of claim 7 are requested.

G.   Claim 14:

Applicant can find no disclosure, nor has the Examiner cited any disclosure relating to the requesting application receiving the image data that is not the requested image data, as described in Kaply at page 4, lines 11 – 13. The rejection of claim 14 fails for lack of support in the reference. In any case, claim 14 is patentable on the same basis as claim 11 from which it depends. Withdrawal of the rejection and allowance of claim 14 are requested.

H.   Claim 15:

Applicants can find no disclosure, nor has the Examiner cited any disclosure wherein the received image data is displayed in a different font than the requested image data, as described in Kaply at page 4, lines 14 – 16. The rejection of claim 15 fails for lack of support in the reference. In any case, claim 15 is patentable on the same basis as claim 61 from which it depends. Withdrawal of the rejection and allowance of claim 15 are requested.

I.   Claim 18:

Applicant can find no disclosure, nor has the Examiner cited any disclosure related to received data indicating a use to be made of the data. Claim 16 is patentable on the same basis as claim 10, previously considered.

J.   Claim 19:

Applicant can find no disclosure, nor has the Examiner cited the disclosure relating to the received data comprises information relating to the attributes of the data, as described in Kaply at page 13, lines 1-6. The rejection of claim 19 fails for lack of support in the reference. In any case,claim 19 is patentable on the same basis as claim 61 from which it depends. Withdrawal of the rejection and allowance of claim 19 are requested.

K.   Claim 25:

Claim 25 further limits claim 62 and is patentable on the same basis.

L.   Claim 25:

Claim 26 is patentable on the same basis as discussed in connection with consideration of claim 7.

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Summarizing, claims 2-7, 14, 15, 18, 19, 21-26, 36-28 and 40 include limitations, which further limits claims 61, 62 and 63 and describes limitations e.g., use of the data; color depth; pixel resolution; fonts; and the like, are not disclosed in Hunt or Mast. Without such disclosure the rejected claims are patentable in their own right, and at the very least are patentable on the same basis as the independent claims from which they depend.

CONCLUSION:

Having amended claim 7, 59, 61, 62, and 63 to further define and overcome the cited art, applicant requests entry of the amendment, allowance of the claims and passage to issue of the case.

AUTHORIZATION:

The Commissioner is hereby authorized to charge any fees or insufficient fees or credit any payment or overpayment associated with this application to Deposit Account No. IBM – 09-0447, Order No. AT9-99-140 (1963-7320).

Respectfully submitted,

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